

FILED  
BILLINGS, MT

2006 FEB 14 PM 1 48

PATRICK E. LUTTY, CLERK  
BY \_\_\_\_\_  
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

**BUTTE DIVISION**

<b>JILL PRUITT,</b>	)	<b>CV-04-90-BU-RFC</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	<b>ORDER ADOPTING FINDINGS</b>
<b>ST. PAUL FIRE AND MARINE</b>	)	<b>AND RECOMMENDATIONS OF</b>
<b>INSURANCE COMPANY AND</b>	)	<b>U.S. MAGISTRATE JUDGE</b>
<b>CONTINENTAL CASUALTY</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

On January 10, 2006, United States Magistrate Judge Richard W. Anderson entered his Findings and Recommendation. Magistrate Judge Anderson recommends this Court grant Defendants' motions and deny Plaintiff's motion.

Upon service of a magistrate judge's findings and recommendation, a party has 10 days to file written objections. 28 U.S.C. § 636(b)(1). In this matter, no party filed objections to the

January 10, 2006 Findings and Recommendation. Failure to object to a magistrate judge's findings and recommendation waives all objections to the findings of fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1999). However, failure to object does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

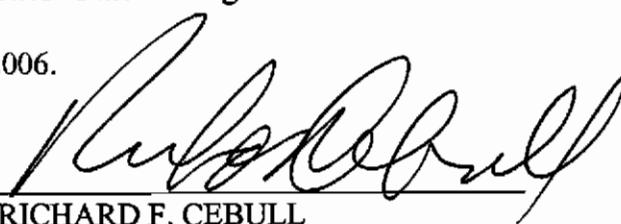
After an extensive review of the record and applicable law, this Court finds Magistrate Judge Anderson's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

Accordingly, **IT IS HEREBY ORDERED** as follows:

1. Defendant Continental Casualty Company's Motion for Summary Judgment [*doc. #33*] is GRANTED;
2. Defendant St. Paula Fire and Marine Insurance Company's Motion for Summary Judgment [*doc. #46*] is GRANTED; and
3. Plaintiff's Cross-Motion for Summary Judgment [*doc. #51*] is DENIED.

The Clerk of Court shall notify the parties of the making of this Order.

DATED the 14 day of February, 2006.



RICHARD F. CEBULL  
UNITED STATES DISTRICT JUDGE